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Heitzman

GAO

United States General Accounting Office
Washington, DC 20548

Office of
General Counsel

In Reply
Refer to: B-197884 (RJH)

September 30, 1980

[Request for Reconsideration]

Mr. James L. Hancox
c/o Mr. Francis L. Swisher
RR #4, Box 900
Warrensburg, Missouri 64093

Dear Mr. Hancox:

We refer to your letter of August 7, 1980, requesting a reconsideration of our decision on your claim B-197884, July 15, 1980.

This Office is always willing to further consider denied claims upon receipt of new evidence. However, correspondence which contains no such evidence and merely repeats previous statements, allegations, or which simply questions a previous ruling, does not furnish the basis for further consideration of a claim. We have reviewed your letter and find nothing which was not fully considered in connection with the prior action taken in your case.

Therefore, in the absence of any new evidence, it would seem that your only recourse would be to file an action against the United States in the Court of Claims, or in the United States District Court.

Although this Office is not subject to the Freedom of Information Act, 5 U.S.C. 552 (1976), it is our policy to provide claimant's copy of records where possible. Therefore, in response to your request for the documents used in this case, we are enclosing copies of the agency's report used in our final determination of your claim.




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We also used the records you furnished us, as well as the decision of the Merit Systems Protection Board, dated January 19, 1979. We assume that you have copies of these records in your possession.

Further, this Office does not have any jurisdiction to investigate any alleged discrepancies in the employing agency's hiring or reduction-in-force procedures. Such jurisdiction would lie with the Office of Personnel Management and the agency concerned.

Sincerely yours,


Robert L. Higgins
Assistant General Counsel

Enclosures

cc: Associate Director, Claims Group, FGMSD